

Village of Cold Spring
Board of Trustees Workshop
July 28, 2015

The Board of Trustees of the Village of Cold Spring held a workshop on Tuesday, July 28, 2015 at 7:00 p.m. in the Village Hall, 85 Main Street, Cold Spring, NY.

Attending were Mayor David Merandy, Trustees Frances Murphy, Michael Bowman, Cathryn Fadde and Marie Early. Also in attendance was Village Attorney, John Furst.

Mayor Merandy and Board met with Village Counsel from 7:00 to 7:35 p.m. The workshop meeting began at 7:40.

A resolution was presented to the Board for an authorization to enter into an **agreement with NYSERDA** in the amount of \$75,000 to update the Village of Cold Spring Code to conform with the Comprehensive Plan and Local Waterfront Revitalization Strategy. However, because of the removal of the updates to the Historic District Standards, the amount was decreased to \$62,625.00.

Trustee Early made a motion to approve the resolution as written with a second from Trustee Murphy. Upon discussion, Trustee Bowman asked if the Code Update Committee (CUC) had a formal vote to approve the resolution. Trustee Early explained that there wasn't a quorum at the last meeting but she reached out to the other two members and they were both in agreement. Donald MacDonald was in the audience and he concurred.

Trustee Bowman was not opposed to the NYSERDA Grant, however, he was not comfortable with the fact that the approval vote was not at a regularly scheduled meeting and therefore not noted in any minutes.

After the discussion, a vote was called for.

RESOLUTION # 26-2015

RESOLUTION TO AUTHORIZE ENTERING INTO AN AGREEMENT WITH NYSERDA

WHEREAS, in January 2014 the Village of Cold Spring was awarded a Cleaner, Greener Communities Phase II Implementation Grant through the New York State Energy Research and Development Authority (NYSERDA) in the amount of \$75,000 to update the village of Cold Spring Code to conform with the Comprehensive Plan and Local Waterfront Revitalization Strategy; and

WHEREAS, the award amount has been amended to \$62,625.00 related to the removal of updates to the Historic District standards; and

WHEREAS, the terms and conditions of this grant are set forth in the **annexed** NYSERDA agreement #39523 for the period from 9/16/2014 to 12/31/2017; and

WHEREAS, the proposed agreement has been extensively reviewed and approved by the Village of Cold Spring Code Update Committee, whose members have been tasked with making recommendations to the Village Board for code updates; and

WHEREAS, it is in the best interest of the village to enter into such agreement;

NOW THEREFORE BE IT RESOLVED that the Village of Cold Spring Board of Trustees approves of entering into agreement 39523 with NYSERDA and hereby authorizes Mayor Merandy to execute the contract.

On roll call vote:

Trustee Frances Murphy voting Yes

Trustee Marie Early voting Yes

Trustee Michael Bowman voting No

Trustee Cathryn Fadde voting No

Mayor David Merandy voting Yes

Resolution 26-2015 officially adopted at a public meeting held on Tuesday, July 28, 2015 by a vote of 3-2-0.

Dated: July 28, 2015

Mary Saari, Village Clerk

A **schedule fee proposal** was prepared for the **Historical District Review Board** by Carolyn Bachan and Kathleen Foley, members of the HDRB, based on a request by Mayor Merandy to consider requiring applicants to provide escrow funds for those projects which involve outside costs. After much research, they found that no historic districts or landmark commissions in the State, with the possible exception of New York City, require escrows. Based on their research, Ms. Bachan and Ms. Foley recommended that the HDRB charge a fee of \$30 per application plus an additional \$80 for those applications that will require a public hearing.

Trustee Early made a motion to approve the following Resolution seconded by Trustee Bowman. However, after a discussion, it was determined that #4 should be changed from “This fee schedule shall go into effect immediately” to “This fee schedule shall go into effect as of September 1, 2015”.

Mayor Merandy requested a vote to rescind the first motion made by Trustee Early. Trustee Murphy made a motion to rescind the first noted motion seconded by Mayor Merandy and carried with a unanimous vote. A second motion was made to approve Resolution 2015-27 as amended in #4 by Trustee Murphy with a second from Trustee Fadde. The motion was carried unanimously.

RESOLUTION #27-2015

RESOLUTION ESTABLISHING FEES FOR HDRB APPLICATIONS

WHEREAS, the Village of Cold Spring Historic District Review Board (HDRB) has analyzed the costs associated with processing applications for certificates of appropriateness; and

WHEREAS, the HDRB has recommended instituting an application fee of \$30.00 with an additional \$80.00 for applications that require a public hearing; and

WHEREAS, Village of Cold Spring Code sections 64-7 & 64-13 permits establishing application fees by Village Board resolution, except for those applications involving non-commercial signage; and

WHEREAS, the recommended fees are reasonably necessary to cover the costs of processing and enforcing certificates of appropriateness;

NOW THEREFORE BE IT RESOLVED that the Village of Cold Spring Board of Trustees hereby establishes an HDRB application fee schedule as follows:

1. A fee of \$30.00 shall be charged for an HDRB application for a certificate of appropriateness;
2. An additional fee of \$80.00 shall be charged for applications that require a public hearing;
3. No fee shall be charged for applications for non-commercial signage.
4. This fee schedule shall go into effect as of September 1, 2015.

Trustee Murphy moved the foregoing resolution which was seconded by Trustee Fadde.

On roll call vote:

Trustee Marie Early voting Yes
Trustee Frances Murphy voting Yes
Trustee Michael Bowman voting Yes
Trustee Cathryn Fadde voting Yes
Mayor David Merandy voting Yes

Resolution 27-2015 officially adopted by a vote of 5-0-0 at a public meeting held on Tuesday, July 28, 2015.

Dated: July 28, 2015

Mary Saari, Village Clerk

Village Account Ellen Mageean provided the following financial resolution for reallocations of the year end budget 2014-2015:

Resolution #: 25-2015

Moved by: Trustee Bowman,

Seconded by: Trustee Fadde

Resolved that (1) The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the **2014/2015** fiscal year:

(1)	To:	A00-1010-100	Board of Trustees: Personal Services	\$171.00
	To:	A00-1010-400	Board of Trustees: Contractual	\$760.00
	To:	A00-1010-405	Board of Trustees: Video Recording	\$145.00
	To:	A00-1325-400	Accountant: Contractual	\$438.00
	To:	A00-1410-100	Village Clerk: Personal Services	\$5,721.00
	To:	A00-1450-400	Elections: Contractual	\$2,080.00
	To:	A00-1640-410	Shared Services: Restroom	\$760.00
	To:	A00-1640-417	Shared Services: Village Hall Repair	\$658.00
	From:	A00-1210-400	Mayor: Contractual	\$227.00
	From:	A00-1410-400	Village Clerk: Contractual	\$826.00
	From:	A00-1420-400	Attorney: Contractual	\$1,531.00
	From:	A00-1420-410	Attorney: Special	\$5,577.00
	From:	A00-1620-100	Shared Services: Personal Services	\$2,572.00
			To reallocate the Board of Trustees, Accountant and shared services budget for year end.	
(2)	To:	A00-3120-110	Crossing Guards: Personal Services	\$121.00
	To:	A00-3120-470	Police Clothing: O'Rourke	\$195.00
	To:	A00-3120-471	Police Clothing: D'Amato	\$322.00
	To:	A00-3410-411	Fire Department: Gasoline	\$254.00
	To:	A00-3410-450	Fire: Electricity	\$318.00
	From:	A00-3120-100	Police: Personal Services	\$121.00
	From:	A00-3120-468	Police: Clothing Marino	\$517.00
	From:	A00-3410-440	Fire: Siren	\$572.00
			To reallocate the Police and Fire department budgets for year end.	
(3)	To:	A00-5110-100	Highway Street Maint: Personal Services	\$8,406.00
	To:	A00-5110-400	Highway Street Maint: Resurface	\$803.00
	To:	A00-5110-410	Highway Street Maint: Supplies & Materials	\$150.00
	To:	A00-5110-413	Highway Street Maint: Oil/Service	\$450.00
	To:	A00-5110-415	Highway Street Maint: Electric	\$295.00
	To:	A00-5110-440	Highway Street Maint: Telephone	\$196.00
	To:	A00-5110-475	Street Lighting: Legal & Engineering	\$930.00
	To:	A00-8160-100	Garbage: Personal Services	\$1,367.00
	To:	A00-8170-100	Street Clean: Personal Services	\$2,430.00
	To:	A00-8540-100	Storm Drain: Personal Services	\$663.00
	To:	A00-8540-440	Storm Drain: Multimodal Project	\$1,538.00
	To:	A00-3505-000	Multi-Modal (Revenue)	\$1,538.00
	To:	A00-5142-200	Snow Removal: Equipment	\$317.00
	From:	A00-5110-411	Highway Street Maint: Gasoline	\$3,788.00
	From:	A00-5110-420	Highway Street Maint: Equipment Repair	\$5,924.00
	From:	A00-8160-110	Recycling: Personal Services	\$1,196.00
	From:	A00-8160-400	Garbage Contractual	\$4,465.00
			To reallocate the Highway budget for year end	
(4)	To:	A00-5182-400	Street Lights: Contractual: General Street	\$1,039.00
	To:	A00-5182-440	Street Lights: Subway	\$684.00
	To:	A00-7410-400	Recreation: Contractual	\$424.00
	To:	A00-7140-430	Recreation: Tools & Consumables	\$554.00
	To:	A00-7550-400	Celebrations: Contractual	\$363.00

	To:	A00-8015-100	Zoning Update Committee: Personal	\$173.00
	To:	A00-8020-100	Planning Board: Personal Services	\$186.00
	To:	A00-9030-800	Social Security	\$651.00
	From:	A00-7110-400	Parks & Rec: Repairs & Improvements	\$4,074.00
			To reallocate budget to various line items that were over budget at year end.	

And (2) The accountant is hereby authorized to transfer such funds immediately.

On roll call vote:

Trustee Frances Murphy voted: Yes

Trustee Marie Early voted: Yes

Trustee Michael Bowman voted: Yes

Trustee Cathryn Fadde voted: Yes

Mayor David Merandy voted: Yes

Resolution 25-2015 officially adopted on: Tuesday, July 28, 2015 with a vote of 5-0-0.

Mary Saari-Village Clerk/Treasurer

Trustees Murphy and Bowman discussed the **insurance proposal** provided to the Village by the **McKane Group, Inc.** Because the Village has not completed dam repairs, McKane Group cannot procure downstream dam coverage. Trustee Murphy pointed out that the village cannot proceed with these repairs until an agreement has been reached with the NYDEP. The upper dam has been monitored over 18 months and there has been no movement. Although there are villages and towns that do not have this coverage, Trustee Murphy said we would prefer having it. A special meeting will be held to make a decision after more information is received from NYMIR. The cutoff date is July 31, 2015.

Correspondence

Matthew Neidel sent an email requesting an exemption from any interest or penalties on the Village Taxes paid after June 30 for fiscal year 2015-2016.

They purchased the property at 13 Parsonage Street in February, 2015 and received their initial tax bill for \$1,087.30 which they paid promptly. Then a letter dated June 19 was mailed with a postmark of June 22 indicating a clerical error had been made and they owed an additional \$846.59 which gave them 8 days to pay before June 30 to avoid any interest or penalties. They were out of the country at the time and did not get this letter until July 15. They promptly paid their additional taxes upon their return and receipt of said letter.

Given the very short time period in which they were expected to pay the additional tax bill, they kindly request an exemption from any interest or penalties for paying the delayed tax bill.

Trustee Bowman made a motion to grant the exemption from interest and penalties levied on Mr. Neidel's property tax for a late payment. Trustee Fadde seconded the motion and the motion carried with a unanimous vote.

Betsy Mullinix requested a permit to do a still photography photo shoot in the Village. The shooting date will be August 6, 2015 between 9am and 6pm with a 15 member crew. There will be one car and one motorhome. The shooting areas are by the gazebo/water, various locations around Main Street and at the Philipstown Farm Market. (Note: the Philipstown Farm Market is out of the Village's district). Trustee Fadde made a motion to approve the permit contingent on the location of the motorhome. Trustee Bowman seconded the motion and with a unanimous vote, the motion carried.

A proposal was received from **IMA Technologies** to upgrade and migrate Laserfiche software. Anthony Adamo, the Village IT contractor, has reviewed and approved the proposal. After a discussion among the Board of approximate cost to the Village, the proposal was approved with a motion from Trustee Early and a second from Trustee Murphy. The motion carried with a unanimous vote.

The **Minutes of July 7, 2015** were presented to the Board for approval. Trustee Early made a motion to approve the minutes as written. Trustee Fadde seconded the motion and with a vote of 4-0-1, the motion carried. Trustee Bowman abstained as he was not present at this meeting.

The **bills**, as presented to the Board, were approved for payment with a motion from Trustee Early and a second from Trustee Fadde. The Board voted unanimously to approve payment of the bills as presented.

The following items were presented to the Board for approval from Paul Guillaro, Unicorn Contracting Corp and Butterfield Realty LLC, 3102 Route 9, Cold Spring, NY: Irrevocable Offer of Dedication of Recreation Easement to the Village of Cold Spring, Ironside Indemnity Inc. Performance Bond, Utility Easement Agreement, Declaration of Covenants and Restrictions (Age and Occupancy Restriction), Butterfield Realty-Declaration of Covenants and Restrictions Copper Beech Tree Protection Mixed Use Parcel and 2 Single Family Lots, Recreation Easement Agreement.

It is required that the Mayor sign the appropriate agreements. A motion was by Trustee Fadde for Mayor Merandy to sign the Irrevocable Offer of Dedication of Recreation Easement to the Village of Cold Spring, the engineer has already signed off on it, subject to the Mr. Furst's final review and comments. The motion was seconded by Trustee Bowman and the motion carried with a unanimous vote.

The Ironside Indemnity Inc. Performance Bond was approved for the Mayor's signature with a motion from Trustee Early and a second from Trustee Fadde. The motion carried with a unanimous vote. Mr. Guillaro had presented the Performance Bond to Mr. Furst and with the Board's approval, Donald MacDonald, Chair of the Planning Board, will sign the plat now that the Village Board has approved all forms. The Plat will now be sent to the County for their approvals.

On the agenda was the **appointment of a special inspector for the Butterfield Redevelopment Project**. However, because it has not been determined what account this position will be paid from, Mayor Merandy tabled the discussion until there are answers as to where the payments are coming from. Two proposals were received for this appointment: Ronald J. Gainer, P.E., PLLC and Michael A Gismondi, AIA Architect.

Trustees Early and Murphy sent an email to the Board regarding their suggestion of **meeting dates** based on a discussion from Mayor Merandy as to the possibility of decreasing the number of meetings every month. They proposed the Board hold a workshop on the 1st and 4th Tuesdays of each month with the

regular scheduled meeting on the 2nd Tuesday of each month. This leaves the 3rd and 5th (when applicable) open for any “special” meeting that needs to be called.

Trustee Early made a motion to approve the proposed meeting dates with a second from Trustee Fadde. With a unanimous vote, the motion was carried.

The Board had a discussion about the **Village’s Senior Picnic** regarding a date for the event. Two dates for August, when it is usually held, were 22nd or the 29th. Trustee Bowman suggested a September calendar when it might be a bit cooler. No date was decided upon. Trustees Early and Bowman will be on a committee for the event and it was suggested that Bruce Campbell also be asked to join.

Accountant Ellen Mageean will be asked to make a **spreadsheet** showing expenses and donations for the **July 4th Celebration**. This will give the Board a more definitive answer of the cost to the Village for the festivities.

Trustee Early discussed the possibilities of a mailing in appreciation of all the **volunteers** that worked on and during the **July 4th Celebration**. It was suggested that they also post it on the newly established Facebook page for the Village of Cold Spring.

The **Volunteer Appreciation Party** was discussed for January, 2016 with tentative dates of the 9th or the 16th to be held at the Cold Spring Fire Company. No decision was made.

Mayor Merandy explained to the Board that the **summer help** needed to be paid for his work with the Village Highway Department and he suggested to the Village Accountant a wage of \$12.00 per hour. The Board agreed that this was a good starting salary for the young man.

The Board received a resume from **Norah Hart with her request to join the Code Update Committee**. With a motion from Trustee Early to approve the appointment of Norah Hart to the CUC and a second from Trustee Murphy, the Board voted unanimously to approve the appointment.

Public Comment

Douglas Cunningham of the PCN&R asked what the justification was for the closed session beginning at 7:00. Mr. Furst explained that at any time, a client can seek legal counsel in private.

Trustee Early made a motion to adjourn the meeting. With a second from Trustee Bowman, and a unanimous vote from the Board, the meeting was adjourned.

Respectfully submitted,

Sandra L. Falloon